

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:	§	
	§	
LAWRENCE EDWARD CREED	§	Case No. 15-40892
xxx-xx-8175	§	
1917 Fountain Spray, Wylie, TX 75098	§	
	§	
Debtor	§	Chapter 13
<hr/>		
CHRIS GERSTNER	§	
d/b/a Resolute Services	§	
	§	
Plaintiff	§	
	§	
v.	§	Adversary No. 15-4061
	§	
LAWRENCE EDWARD CREED	§	
	§	
	§	
Defendant	§	

ORDER DENYING PLAINTIFF'S MOTION FOR STAY

ON THIS DATE the Court considered the Motion for Stay of Adversary Proceeding filed by the Plaintiff, Chris Gerstner, on September 17, 2015. Presumably, this pleading was filed in response to the Court's sua sponte "Notice of Intent to Dismiss Counts 1-6 of Plaintiff's Complaint Due to Conversion of Case to Chapter 13" issued on September 15, 2015. Because the relief sought by the Plaintiff in Counts 7 and 8 of his complaint is applicable even in Chapter 13 cases and needs to be subjected to a timely determination, the Court finds that just cause exists for entry of the following order.

IT IS THEREFORE ORDERED that the Plaintiff's Motion for Stay of Adversary Proceeding is **DENIED**. However, with regard to the Court's intent to dismiss counts 1-6, the Court shall defer dismissal of any portion of the Plaintiff's Complaint until after the conduct of the management conference in this adversary proceeding on November 16, 2015.

Signed on 09/21/2015



THE HONORABLE BILL PARKER
UNITED STATES BANKRUPTCY JUDGE